

**BUTTE-SILVER BOW LOCAL GOVERNMENT
STUDY COMMISSION**

Minutes of the Meeting

July 7, 2005

Butte-Silver Bow Courthouse, First Floor Conference Room

Meeting Date: July 7, 2005

Time: 5:30 p.m.

Place: Butte-Silver Bow Courthouse, First Floor Conference Room

Call to Order: Chairman Bob Worley brought the meeting to order at 5:30 p.m. and called roll with the following results:

Members Present: Tony Bonney, Wayne Harper, Dave Palmer, Meg Sharp, Cindi Shaw, Northey Tretheway, Bob Worley, Shag Miller

Excused Absences: Ristene Hall and Ron Rowling

Approval of Minutes: Shag Miller entertained a motion to approve the minutes from June 16, 2005, Wayne seconded and the motion carried unanimously.

Comments from Ron Rowling: None. He was not present.

Citizen's Comments: Nobody in the audience.

Items not on Agenda: Northey Tretheway tried to get a hold of Linda Sajor-Joyce. He left two messages and has not heard back from her. Bob Worley commented that he had invited Linda to speak at the Study Commission Meeting on July 21st. Bob stated that he remembered when Linda did her presentation at a previous Study Commission meeting with Danette Gleason. There was a discussion about the possibility of improving the delivery of services through the GIS system. It was Bob Worley's intention, and he thought Northey asked Linda if she would put something together, that the Study Commission could review with her ideas that might help to improve the delivery of services. Bob mentioned that he remembered when Bill Penn presented before the Study Commission and he thought BSB's system needed a lot of work. That is what Bob Worley is trying to get Linda Sajor-Joyce to do. She has e-mailed Bob Worley and he forwarded the message to Northey since he will be out of town next week. Linda Sajor-Joyce would like to know what the Study Commission wants from her and Northey mentioned that he would take care of that. Jeff Amerman also requested to present at the meeting on July 21st.

Discussion on Public Hearing: Bob Worley commented that people brought a lot of problems to the meeting that the Study Commission really cannot solve. They will do what they can within the limits of the Study Commission but do not think dog problems and the police not taking calls are within their scope of work. Bob Worley mentioned that much of the public hearing took their time to listen to those problems but thought as long as they are sitting as an elected board, they need to listen to what the public has to say. Bob Worley asked for everyone's opinion regarding the outcome of the public hearing. Cindi Shaw thought Northey's presentation was excellent and it spelled out what the Study Commission was there to do. Cindi Shaw stated that Northey did a good job making it clear on what the Study Commission can and cannot do. However, she believed that people came to the public hearing with a preconceived idea regardless of the

presentation and were there to voice their opinion. Northey Tretheway's thoughts were, who do these people complain to? Cindi Shaw felt the people who attended the public hearing had some good questions. Cindi Shaw commented that she was the first person to show up at the public hearing and saw Rick Foote there. Cindi Shaw asked Rick how many people he thought would be present? Rick thought around 10 and there ended up being around 45. Cindi Shaw thought that was a great turnout. Bob Worley commented that Northey's presentation was well done and will want to hold on to that presentation for future reference. Cindi Shaw commented that Northey's presentation was presented too fast. Northey replied that they should have had handouts and that they only had 15 minutes to present it. Bob Worley stated that at the next public hearing there would be some handouts, especially on things that they are going to change or are contemplating/proposing to change. Bob Worley again stated that Northey did a good job and thought it was straightforward. He thought if people looked at that presentation people would see what the Study Commission was doing. Bob Worley stated that his impression coming out of the Study Commission is they have elected them to do the job. Bob Worley stated that he did not know if they were going to get a whole lot of information out of the people in the community. There were about 40-45 people. Some of them were elected, some were appointed from the county government and some from the public. Bob Worley stated that they spent around \$1500 on advertising. They had the focus show, and party-line show. They got out there and did a thorough job of presenting the public hearing to the public and making them aware of it. Cindi Shaw stated there was a good cross section of people. They had officials, politicians, and the general public. Wayne Harper commented that maybe he saw it a different way. He agrees with Bob Worley and it has been since his school board days, ever since then, that he has been on the commission. Wayne stated it is not their job to take care of those 20 people at all or to address or to listen to them. Their job is to listen to the 32,412 that didn't show up. Wayne stated that you really have to step back every once in a while and realize that the people who come to the public hearing people run for these kinds of commissions. They are the different ones. The normal person sits at home and says if their elected, they will do it. Wayne stated that they can go on focus, they can go wherever they want, no one is going to listen. It is not going to happen. They can hold 52 public hearings and they are not going to get another 10 more people to come. That is just the truth of public meetings. For example, the school district closing buildings. Families from one closed building showed up, no one else in the whole town showed. Wayne feels that it is primarily up to the Study Commission to make the decisions and to figure out where they are going. Wayne leans a lot more towards voting for June than to spend another six months trying to come to conclusions and go all the way to November for two reasons: Wayne thinks they would have a better chance of passing issues in the primary because there will not be focused issues and you might get better turn out. Secondly, they could spend another six months studying BSB's government. They will get nothing more from the community and nothing more out to it. Bob Worley responded saying that he has thought about that and knew that Wayne was pushing towards a June primary. Bob Worley stated that he agrees with Wayne now. They probably should be done with things some time in February or early March where they can get out and spend 60 to 90 days selling it to the community and run it in June. Bob Worley stated that he felt Wayne was right. He did not think it would do them any good to run from June or through the other month and go on into September, October, through another summer, through two fall months and then try to run this thing in November. Bob Worley stated he did not think they were going to get anymore out of it up to that time. Northey commented that he thought the step that they took was presenting the public as the public order. It shows that they have some of the requirements out of the way plus they are making their best effort to make sure people have some involvement. They may be indifferent, they may be callus about what government, they are the first to complain and you get to the point where you come out with some suggestions or some changes that people are griping about it. It is not because the Study Commission did not give them the opportunity to speak.

Bob Worley thought what they would have to do now is to move forward. Bob Worley stated that for tonight's meeting he has Dave's survey on the agenda and feels that it all ties together. Bob Worley commented that they might want to decide on if they want to put a survey out. They also need to decide how they are going to deliver it and to whom they want to target. Bob Worley recognized Dave's work and effort on the survey. Bob Worley stated he did not think they needed all the questions they have. Bob Worley mentioned that Jennifer Rozinka volunteered to do the analysis of the survey. Bob Worley discussed how the Study Commission has previously talked about the two ways of going with the survey. They talked about doing one with the City County ordinance. Bob Worley thought they would get a little out of that in ways that they may improve the delivery of services with ideas from employees. Secondly, was doing one with the general public. Furthermore, they need to decide whether they want to do a telephone survey. Bob Worley stated that he has looked into the telephone surveys and agrees with Ken Weaver that there are many people not using telephone landlines anymore. Bob is not really sure they will get a good survey if they do it by telephone. Bob Worley stated that he did not really know a way to get a really good survey. Bob Worley stated that they could go to the Water Company and include a survey in their bills. However, everyone is not on water. There are people on wells, people living outside the district. Bob Worley stated that they could go to a mail survey and send a certain number out if they decide to use that delivery method. Mail surveys will be more expensive. Bob Worley put this out on the floor for suggestions.

Meg Sharp realizes Dave did a lot of work preparing and updating the survey. There were questions at the beginning that they thought were really logical questions. Now that they have learned more about the government and have had a public hearing, she feels that many of the questions initially proposed could be done away with because they are not relevant to the way they are thinking. Meg is questioning if a survey should be done.

Dave Palmer feels that all of the questions are relevant and has the answers they want but feels that they won't get them from the survey and it would be a lot of work. Dave Palmer stated that so far he has not really put that much work into it. Dave Palmer felt it would not be a lot of work to do a telephone survey and everyone would have to be involved. They would have to get some service organizations or someone else involved. That is where he does not think they will get the help. Dave Palmer stated in order to do a good survey by telephone; he did not think that the group would want to put the time in to do it right. In addition, Ken brought up don't ask questions that you don't want answers to. If you do want the answers, you have to ask the question at some point in time. Put it on the ballot. If you don't want the answers then why put it on the ballot. Dave commented on the people who showed up at the public hearing and complained about dogs. If you go to any forum and break into discussion groups and write down what thing Butte needs to improve upon, number one is cleanup. Dave stated that they can change something and that right now they could change the whole structure of government if they want to. If they want to make the dogcatcher higher up than the Chief Executive, so be it. They can do it. Let the people vote on it although they probably would not but thinks Butte needs an Animal Control Department with an elected head. Dave stated that he has been on the council for over twelve years and every year you don't get more complaints than dogs. Butte is terrible for dogs. It is a people problem and also to the people that have the problem with the animal wardens. They are not doing their job properly.

Northey responded that was brought up in the public hearing is Butte has many regulations. They are just not being enforced. Dave also commented that the Sheriff gets complaints all the time. He is not doing his job and they do have a chance to change that.

Bob Worley asked everyone about dog services being contracted? Tony responded that someone is always willing to pick up a contract and the water line is a perfect example. There is always someone to do it but if you look at Chief Construction last year, you would have had better luck having the dogcatcher put the water lines in.

Bob Worley responded that there are some problems out there and Dave Palmer hit them on the head. Clean up of the community and dogs are two of the major problems that Butte has.

Northey are they getting back to that question on the survey? The issues that Dave brought up he thought were surfaced in that universe of items that they previously discussed as far as what they might change and put on the ballot. They had 20 items that each of them had discussed; two to three items a piece. Dogs and clean up were on there. Have they at least got their arms around the issues that they might have to wrestle with from this point to see what gets put on the ballot? Will the survey reinforce those issues or bring in things from outside that they have not considered. He did not think it would.

Tony Bonney felt that it would. He thought the three groups that needed to be focused on were the Water Company. 17,000 taps out of 17,000 bills are going out to the public and they are bound to get back one or two responses. Secondly, are the county employees. There are 320 or so employees. They are bound to get one or two responses from that sector. Third are the registered voters and outer districts. They are bound to get a response. All the responses will be different but they are going to see where it is narrowing down. They will have a scope of the problems and this will help narrow it more.

Northey Tretheway responded that he is kind of opposed to a survey because it going to be upon them to come up with something. They have had the public hearing and have gotten the input that way. If they put a survey out there, he does not know what they will get back. It will be a lot of work. They do have the universe of items that they are going to consider. They can narrow those down, refine them and then possibly do a survey. Right now he feels it is difficult to get much out.

Dave Palmer responded that he agreed with Wayne to shoot for the June deadline and have it on the June election next year. Dave suggested they work as a group out doing the survey. They can come up with what they think should be on the ballot and then have a public hearing. People would then know exactly what is going to be asked of them and there may be ten more that show up at the public hearing. They might get 100, he doubts it but one never knows.

Cindi Shaw asked Dave if there was an open ended question that asks what is your number one complaint? Dave responded that there is one that asks if you can change anything what would it be? Cindi stated that she agreed that they have a feel for what needs to be addressed. If they put those questions out and they have already formed their opinion and then they get a total different one from the public, can't they just take the public stance? They have a lot of inside information and maybe information can be a disadvantage. Bob Worley responded that the information they are getting is from the people that are trying to protect the courthouse and the people within the courthouse. They are not getting the information from the public itself, from the voters, or from the other 17,000 people out there. They have got information from around 100 people that they have interviewed over the last six or seven months. There is going to be a little bias. Bob Worley commented that he could not see where a survey would hurt anything. However he was not sure if it would do them any good.

Tony feels that it would. Tony suggested narrowing it down to one page that could be put into a water bill and Butte-Silver Bow's employee paychecks. If they take the time to narrow it down and put it out the first of September, that gives them until they have the public hearing to decide what to do with the information they receive.

Northey responded when they have the next public hearing, that will be a survey depending on how that information gets out.

Bob Worley commented that if survey is put out he would like to have the information back so it can be compiled so they have an idea from the public what is going on before they have their next public hearing so if possibly anything they are going to hear would be combined with the survey.

Bob Worley asked everyone if they had a copy of the survey and to go over the items in each question. Bob Worley brought it to everyone's attention that there are eight of them present and as chairman, he cannot vote on anything that is put before the floor that affects the commission. He is not allowed to vote unless there is a tie.

Question one asked, should BSB continue to elect a Chief Executive, should the Council of Commissioners appoint a City/County Manager or no opinion? Wayne asked if they could discuss the question before it is voted on. Bob Worley replied yes and that he wanted to open it for discussion. Wayne stated that he is more focused on how they do the survey.

Wayne commented that he thought if they handed it to all 326 BSB employees they would find out something from someone who is at the Metro Sewer or someone who is a third line worker in this office. They might discover something that could really help Paul Babb or help them. Wayne stated the survey they are proposing is not truly a survey. They would know who the target audience is and who is giving out the answers. Northwestern Energy just did a big survey and paid people more money than he makes in a year. They plowed through it and ended up with "yeah everybody thinks the same thing they all thought before they thought it." They are really hard to deal with but that would be a great question for NorthWestern. Wayne stated that he was a neophyte and does not know much about government and does not really care to know much about government. He trusts whoever is elected. He trusts if it is not going right, he will let his point of view be known in an election or will campaign for somebody. Wayne is fine with doing a survey and it would be interesting to see the public's response. Wayne felt if the surveys were sent in water bills, he believes they would only get a response from a people directly involved. They are not going to get a lot of responses from the population because they are not going to get responses from a whole lot of people in Silver Bow homes. Dave acknowledged Wayne's comment and replied somebody who has a vested interest in what goes on. Wayne stated that it would be skewed as opposed to the telephone survey where you get a random sample.

Bob Worley replied that would be what they want to do with the water bill idea. They will not go through and select the people. However, they could select whom they want to mail to if they want to skew it. Bob Worley asked Tony if there was around 17,000 hookups. Tony replied that there was something like that. Bob Worley stated that they would need to decide on the number of surveys they need back. Bob suggested going with one out of every twenty or thirty people. He felt that would be the best way to get a random survey done and they would not know who it is going to. Wayne stated that it is not random. He will lose the randomness. Wayne stated that it might give them something to think about.

Dave Palmer replied even if they sent out a survey right now with moderate information, their number one focus is on the question, should BSB continue to elect a Chief Executive or appoint

City-County Manager? You might get back 75% that say yes; appoint a City-County Manager from the county workers. Then you tell them later the Chief Executive is getting paid \$75,000. A City-County Manager is going to be \$150,000 so there is \$80,000 that BSB has to make up. Somebody's job is gone when the survey is saying yes, appoint. If they knew that, how do you think the survey results would come out?

Northey responded that goes back to the original question he asked previously. Most of the people won't know much about the content of the questions being asked. So they are going to get responses back that might invigorate them to say, "yeah go for it or don't go for it." Northey stated that he did not know if they could trust the results.

Wayne Harper replied that it could lead them to a thought process. If 75% of the community says they would rather have one appointed than elected, he thinks they would all be safe with that. If you give them true numbers and issues then it might come back no, they want elected. Then maybe it is an area they should not mess with. They could know the facts and they may still want to go that way. Wayne stated that he likes the first question and is with Shag.

Tony Bonney replied that it would have to be overwhelming either way. For instance, they get 75% of the response back saying yes, appoint. All that tells them is to put it on the ballot. There is nothing they can change. If they get 90% back that say no, then it needs to be asked why put it on the ballot.

Northey replied if they get 90% back then he needs to question the legitimacy of the question. Normally on those types of surveys, you rarely see 90% or 80% return. Tony confirmed that he was referring to the total vote of the people that responded.

Shag stated that is a pretty good average. He stated that Noreen Holt told him that is about their return on the Butte Weekly each week. Bob Worley asked what percentage? Shag replied 90% on the Butte Weekly. They put out about 8,000 newspapers and get about 1000 back.

Bob Worley stated that he has never done a survey before and asked if Jennifer Rozinka could provide them with some information. Bob asked if there are 17,000 people, who receive a water bill, and they send out one to every twentieth person, they would be putting out approximately 850 surveys. Out of 850 surveys, what should they expect to get back? What is the percentage?

Northey responded that he remembers numbers anywhere from 30 to 40%. Jennifer Rozinka agreed with Northey and stated that she also remembered about 40%. Bob Worley stated that they could expect approximately 350 surveys returned.

Northey responded that Ken Weaver said if they have a telephone survey to get a random telephone and get 1,000 calls, you might hope to get 400 back. Bob Worley stated that it is sounding like they will need to send out approximately 1,000 surveys. Bob suggested 850 to the Water Company and 150 to the rural areas. Bob Worley asked how many people live in the outlying areas of Silver Bow, Buxton, etc.? Bob asked is 150 about right? That would be about 15 to 17%. Bob asked if that sounded like a legitimate number?

Northey replied that he did not know. When they get the survey done. If it is not going to be a true scientific survey then they can kind of snowball how many are going out and so forth. In order to have a true scientific survey, there are requirements that these things are clustered or if it is going to be sent to the outside then they need to segregate how many are needed from outside the town or they just have a true random sample. You say here is all the names in the county take

a random sample of them and do it that way. If your trying to say oh lets just put a hundred out there and there is 4,000 people.

Bob Worley replied if they do a random sample from 1,000 people it would cost approximately \$1,000 to do that with printing, stamps, envelopes and so forth. They would need to put in a postage paid, self-addressed envelope in order to get the survey back.

Tony asked if Mary McMahon could provide a random sample of registered voters. Tony suggested putting the survey on a postcard. Bob Worley responded that BSB has 17,000 registered voters but they cannot limit it to the number of people that voted last time. It needs to be put out to everybody. Tony Bonney replied it is expensive. Meg Sharp suggested that they go through the questions and see where they stand as a group and then decide if they should put it out.

Bob Worley replied that there seems to be some thoughts that the first question is a good question. Bob Worley requested a show of hands for all in favor. All were in favor of question number one.

Question number two asked, should the sheriff continue to be elected or should the sheriff be appointed by the Chief Executive with the approval of the Council of Commissioners or no opinion. Seven were in favor and two opposed.

Question number three asked, should the Director of Fire Services continue to be appointed by the Chief Executive with approval from the Council of Commissioners or should the Director of Fire Services be elected? Meg Sharp replied that it is working well. Why mess it up? Majority ruled to eliminate question number three.

Question number four asked, should the number of Council of Commissioners remain at twelve or should the number be changed and if so what should that number be? Majority favored that question, two opposed.

Question number five asked, should the Commissioners continue to be elected by district or should the Commissioners be elected countywide or no opinion. Five favored, two opposed.

Question number six asked should elections for local offices remain not party affiliated or should they become partisan? Meg replied that she would not put the question on the survey. Tony replied that it is a valid question and thinks they have answered it but it still needs to be put out there. Bob Worley reaffirmed that what is being looked at is changing from a party affiliation or non-partisan. Tony responded that it gives the respondent their opinion and is a valid question. Bob Worley asked if it should be put on the survey and who was in favor. Five favored and two opposed.

Question number seven asked should a full-time Community Enrichment Cleanup Coordinator be created? Wayne felt the language needed to be changed because in all the previous questions they have appointed or elected and someone is going to read it and say no because they think he/she should be elected. Wayne suggested wording it, should a Community Enrichment position be created? Tony agreed. Bob Worley asked if they are trying to create another elected office and Wayne replied no. Wayne stated he was just saying that they should have someone who does just that. Bob Worley reaffirmed that the question should read should a full-time Community Enrichment Coordinator be created? Northey suggested the wording of the question to be should there be a full-time Community Enrichment Coordinator? Six were in favor and one opposed.

Question number eight asked, should the animal control officer be elected so that he/she is more accountable to the citizens or should they be elected? Cindi responded that question needs to be on the survey. Tony agreed but felt the wording needed to be different. Northey suggested to word the question as, should an Animal Control Officer be elected? Wayne suggested the wording be, should the Animal Control Officer be an elected position?

Tony stated that he thought everybody else puts election and accountability on the same level automatically. Bob Worley confirmed that what they wanted to do was eliminate the part of the question that read so he/she is more accountable. Northey asked, didn't someone bring up that most Animal Control Officers are under the jurisdiction of the Police Department? Northey asked isn't that an issue also? Northey stated that when somebody calls, they have a dog problem and the Police Department does not help out or someone is not there, what enforcement does this person have? None. Tony responded that could be a different way to approach the question. They will be able to find out if they want it to be an elected position or are it should be moved from Public Works to Law Enforcement?

Dave Palmer replied there should be another part of it with the Humane Society being gone. Dave Palmer stated that BSB should not be shipping animals to Dillon or Anaconda. Bob Worley replied that he thought it is costing BSB as much money to hire more people. Northey asked if BSB is going to open the Chelsea Bailey shelter. Tony replied that is just a shelter isn't it and the only affiliation is the town. Who is going to take their dogs? The county is not going to run it, is it? Dave responded that the county is going to run it.

Meg responded, since the Study Commission has no control over this situation she is questioning whether they should even deal with that as a question. Tony responded that they have control over the way a government is structured.

Northey replied that they have an option to change the structure but don't have an option to make it work better. Dave Palmer responded that hopefully the way it is changed would work. Northey replied that is why there are ordinances and laws out there now that will hopefully make it work better but it doesn't seem to work. Dave Palmer responded, if they wanted to, they could say have it be under the sheriff. Cindi replied that there is potential that the accountability might increase. Dave stated they have control to do anything they want as far as changing the structure of government. Bob Worley thinks it can be written and structured in such a way that if they could get people to vote on it, have it put into the charter. Bob Worley stated in Butte Animal Control is a big problem. If they can do something, they should really make an attempt to do something. Northey responded that you hear it time and time again. What they have set up in BSB is not like many other cities across the State of Montana. What they don't have is the money to enforce it. Northey stated that they could put something out there to create more accountability but if they are still not going to act on it because they don't have the money to do it, it will not get passed. Dave feels that if Study Commission writes it, it will be funded. Tony agreed. People will have control over it because they will be able to elect. Bob Worley stated that they might need to reword that question. Bob asked who was in favor. Five favored and two opposed. Cindi commented that she has neighbor that has five dogs and has an arrangement with Animal Control. Bob Worley replied that there is an ordinance in BSB that you are not supposed to have more than three dogs.

Question number nine asked, should BSB create a centralized complaint department? Bob Worley asked if Paul has taken care of this with the deal he has in the rotunda? Tony replied that it is a valid question but the word complaint in the question is not right. Tony suggested that they

come up with a different word that is not negative such as a Public Relations Department. Shag replied that he sees a problem with that. If he calls Paul Babb about a hole in his street, he is going to listen. If he calls Jim Brown and says there is a hole in his street and Public Works has his complaint put way down on the to do list. Shag felt it is a position that they do not need because the will of the people. They will express their complaint to the proper department to the elected office directly. That is much more effective.

Cindi responded that the original purpose of this was not so that they would get answers. It was so a person knew of one centralized place to go ask the question and have the call directed. Shag replied that he did not know that. Tony commented that it would be a place to go for information and that would be the same place you would go if you had a pothole in front of your house.

Bob Worley replied that what they are trying to do in creating this is to try and keep Paul from handling these types of situations because he probably has more important things to do.

Shag replied on the other hand BSB has about eight department heads and about eight elected officers. There is sixteen places that people can go or call to get information from. Paul would not necessarily get a great amount of questions because if somebody wants to call Tony at the Water Company, they will not need to talk to Paul. If somebody wants to talk to him about the potholes on Platinum Street, they don't talk to Paul. They would talk to John VanDaveer.

Tony replied, if you call Paul and he takes a few minutes out of his day to handle calls such as that, the first thing he is going to tell you is, let me talk to so and so and they will figure out who is in charge of this.

Bob Worley commented if they think about it, it is a pretty important position. The person that is handing out that information and sending those telephone calls is going to have to be somebody pretty knowledgeable about what goes on within BSB government.

Meg commented when Paul spoke at one of their previous meetings, he mentioned that they were handling that situation. They are going to move the switchboard out into the rotunda and have a person there to handle complaints and provide information. Tony responded that the need is there otherwise Public Works has a Public Relations Officer, Jennifer Kerns. Instead of just Public Works, you would be able to answer questions about taxes, the sheriff, and so forth. It would be countywide instead of just Public Works. Meg replied that person would know where to go to get the answer and return it to the citizen. Tony replied exactly. Meg commented that it would be a mistake to refer to it as Public Works because most people think of Public Works as just an advertising type thing.

Bob Worley stated that somebody used the word information and wondered if that would work. They could word the question as should BSB create a centralized information department. Meg replied that is good word. Bob asked if that was too general. Northey commented that if he read that, he would say is that information that is coming to me? Bob Worley replied if he needs information that is what he is thinking. Dave replied to leave it complaint department because everybody understands that. Paul might be handling it right now but he might resign tomorrow and the next guy might ask what is the operator doing in the rotunda? Dave stated that they need to think ahead ten years. Dave commented that hopefully the person handling the desk would have the calls computer generated the time the call comes in. That will be a paper trail and when they call again ten days later and say it never got done, they can follow through with it. If it just sits on Public Works desk for example, then they can go to them or you can go to Paul and say this is sitting in a brick wall here. Tony replied that they keep a log of their calls. So if someone

calls and says they called two weeks ago, they can go through the phone log and say no you called four days ago. There is a record.

Wayne agreed. He stated that the word complaint is a negative word of its nature but it is also a defined word that everybody knows what it means.

Bob Worley asked who all were in favor of question nine. All were in favor.

Question ten. Bob Worley stated that the way question ten is worded makes it difficult to understand. Northey replied the question they proposed, in the universe of questions, is should BSB create an antonymous board for Superfund?

Dave replied that Paul discussed previously that they are creating a Land Board to handle these situations. Dave stated then again it is not in the charter and they could change it tomorrow if they wanted. Wayne commented that for the next ten years and there on, the superfund is going to run. It will be Butte's new employer. When the pit finally quits it is going to be 30 years of reclamation work. Dave commented that he thought there should be something put into the charter dealing with that but is not sure how to word it. Tony commented that might be something they want to ask the lawyer from San Francisco. Tony's opinion was in 1970, you mention superfund and people respond "what ?" In 2008, people mention superfund and everyone will know exactly what that means. That is for the next ten years. Tony stated that they needed to get people's opinions on it but to reword it differently; the creation of a board instead of just superfund issues. Meg Sharp responded a qualified board. Bob Worley asked who creates this board? Shag replied the Board of Commissioners and Northey responded the Chief Executive. Shag reaffirmed that the Chief Executive does with the approval of the Council of Commissioners.

Tony Bonney commented that it could be worded, should the Council of Commissioners have the power to create? Then the charter would give them that power to create. Northey responded that they could create it anyway. Bob Worley stated that what they can do is by putting it in the charter they can assure it will be there. Meg asked that everyone look at question 11 because it was a follow-up question that asked, should the Study Commission study and propose a plan for superfund issues? Meg stated that was a much better question. Dave felt they could eliminate question 10 and just use question 12. All agreed. Bob Worley got a vote in regard to eliminating question 10. Wayne felt it needed wording. He wanted them to vote to propose a plan for the superfund. The real issue is does the community care about the superfund issues and if they do then it needs to be put in the charter. Bob Worley asked if everyone agreed that they needed to have a question on superfund. All agreed.

Question 11 asked would you support a mill levy for additional police officers? Bob stated that question would be eliminated since they could not do anything and it is up to the Council of Commissioners if they want to have a proposal requesting that. Dave stated that question could be used for observation. Bob replied that they need to focus on what they can do versus gathering information for the Council of Commissioners. All were in favor of eliminating question 11.

Question 13 asked if you could change one thing about the operation of Butte-Silver Bow government what would it be? Bob commented that if two were going to be sent out, one to Silver Bow that would be a good question. Bob did not feel it was good question for a general survey. Cindi asked how open-ended questions are tabulated. Jennifer Rozinka replied that it would have to be broke down and categorized. Bob Worley asked if they needed to know if the respondents are registered voters. Meg Sharp replied that Ken Weaver said they did not. Dave

replied that Ken was the one who suggested that demographics be on there and they would want to know if they are voters or not. Shag replied that is very important and if people don't take the time to vote why should they be listened to? Bob Worley replied if they are sending the survey out to registered voters of Butte-Silver Bow they should already understand that they are registered voters. Dave replied it would depend on what list is being used. If they use list with the Water Company bills, half of Butte-Silver Bow employees may not be voters. Bob asked for a show of hands of who was in favor. Four were in favor and 3 opposed.

Question 14 asked if they are a registered voter. They all agreed that they would keep the question if they use some other method than registered voters.

Question 15, Meg Sharp commented that Ken was supposed to give them a better grouping of ages that was more scientific. Shag responded that Ken was going to go 2000 census to get that. Bob asked if it was important that they know the age group. Dave replied that Ken stated in any survey there should be demographics included. Bob Worley asked how many questions make it reasonable to where people will or will not do a survey. Jennifer Rozinka replied 10-15 and to keep the questions short and to the point.

Meg Sharp commented that there was another question that was not listed. The question was should the Land Records office become a separate department? Bob Worley replied that they have discussed the issue previously in the Study Commission and felt that it did not need to be taken to the people. It was Bob Worley's understanding that they decided to create that. Cindi replied that what was decided is that they go back to what was originally decided from the last Study Commission. It was decided that question 15 would be eliminated from the survey.

Bob confirmed questions that have been eliminated from the Survey. Questions 3, 10, 11.

Question 16 is rating the following one to five with one being poor, five being excellent and zero as no opinion. Bob Worley stated that he was not sure what to do with that question. Shag stated that he knows what Dave was trying to get and it is very worthwhile. Dave wants to get a feeling and rate the various departments and elected officials. However, in this general survey they should not have this question because it is too cumbersome. If they put out a separate survey then they will get the job done. That question will give the Commissioners and the CEO an idea of how the various departments function. Then you have a real survey. Shag stated two surveys would be much better. Cindi agreed with Shag. There is no definitive information.

Dave replied it was for information gathering purposes only but if you look at question 16 and someone rates the Fire Department as a one that means that person thinks it is not doing a good job. Then you look back at the question about the Director of Fire Services being appointed and they answer it should remain the same. Then they are contradicting themselves.

Meg Sharp replied that she thought the general public would not know what all those departments do. Tony replied it would provide information on a specific department that was performing poorly. Tony thought for informational purposes, it should be on there. Good, bad or indifferent. Cindi Shaw commented that it would help define and to use it as an indicator. Meg asked how do you rate Historic Preservation? Tony replied as an indicator of importance, he would rate it as one. Meg asked how about the archives? Tony replied a one also. Cindi Shaw commented that the question states rate the following and when you say rate as importance or as to accountability, the question states rate poor to excellent. Tony Bonney intervened that if he were going to rate the Civic Center, he would put 5-poor. Cindi Shaw corrected him and replied that 5 are rated as excellent. Tony corrected himself and stated he would put 5 for Archives and Historic

Preservation but the Civic Center he would put as 1 because he feels it is being run poorly. Tony further stated that he would probably take the time to put down why he rated it the way he did. Cindi replied, no comment for the people who don't know what the department does. Tony replied, exactly. Tony stated you ask somebody about Historic Preservation and they will say I have no opinion and they will rate it as zero. Tony stated for the purpose of information it would be very valuable and it should be put on the survey.

Dave commented if the average results for roads came was rated a one then it could be brought to John VanDaveer's attention. Bob Worley commented that is where he sees it being helpful. It is only informational and is not going to do anything as far as help the Study Commission make decisions. Bob Worley asked who was in favor of keeping question 16 to show a raise of hands. Bob Worley reminded everyone that Ken Weaver told them not to put anything on the survey that you can't live with the answer to.

Wayne replied that is wrong. Wayne stated that they as a Commission do not know as much as the community as whole. Wayne stated the way Ken's statement came across was if you don't want a vote against the way you feel, don't put it on the survey and that is wrong. Their job is to see what the community as whole wants. Meg Sharp commented that the answers would have to be a matter of public record so if they get one feeling from the survey and they decide to do something differently they will need to justify that.

Bob Worley stated the question, if you could change one thing about operations in Butte-Silver Bow government what would it be? That should be the last question. Tony agreed and commented that after the long list of questions maybe they will take the time to say this is how I feel. Bob Worley asked Dave to revise the survey questions. The Study Commission members wanted to first vote and see if a survey should be done before doing additional work.

Shag motioned that they go ahead and prepare a survey. Have Ken Weaver check it over and get demographics and have it ready to bring to the voters with a sample of 1000 surveys. Cindi replied that be a more generic question brought to the floor and moved that there be a two part motion. First, they decide if they want a survey and what kind. Tony replied that he agreed with Cindi. Tony stated that it should be generalized to should they have a survey and go from there. Tony stated that if the motion is as Shag words it, he does not agree. Bob Worley turned to Dave for the correct procedure to be taken. Bob asked if they could vote on Cindi's motion first. Dave stated that they can't without Shag withdrawing his motion. Shag moved that they vote on Cindi's motion and if that passes they can vote on his motion. Meg seconded Cindi's motion as to whether they conduct a survey, yes or no. Five were in favor and two opposed.

Bob asked if they wanted to leave it like that and think about it for the next two weeks as to how they are going to conduct a survey. Then Dave can revise the questions and take a look at them the next meeting. Northey asked if there could be a latter motion made to vote on whether they would go with a survey or not after they have done that. Northey stated that there is nothing to stop them from making a motion to have this thing voted on again. Bob Worley replied that there was not. Northey replied then why did they do it? Bob Worley responded because they didn't know whether they wanted to put Dave through the work of revising the survey.

Northey commented that the Montana Standard has done a lot of surveys recently and there is a girl there who is very good at doing surveys. Northey stated that they did a survey on commercial and retail businesses in Butte and why people were shopping outside of Butte. It was a well-done survey and she had results that came back. She then gave a presentation to Chamber of Commerce and retailers. Northey stated it was a very impressive survey. Northey mentioned that they have had Ken Weaver look over the survey and that there only a few people present that

has done surveys before. Northey asked if it would make sense to bring in someone to look at their questions. Northey had a feeling that the survey might backfire on them. Northey stated that it would make sense to have someone who knows a lot about surveys look at their survey. Tony agreed that they should get some other opinions.

Bob Worley replied that he likes Ken Weaver but would like to have someone closer to their problems. Northey again stated that he would like to have the girl from Montana Standard look at the survey and give an opinion on the method of delivery.

Shag stated in reference to the survey questions, he has two suggestions. One, a two mill levy to support cultural activities such as Broadway 215, the Mother Lode, Orphan Girl, and the Art Chateau, etc. Second, is local option casino gambling. Shag felt that was an important question. Dave disagreed. Dave stated that if Butte-Silver Bow wanted to have casino type gambling they would. Dave mentioned Destination Montana and how it was shot down in legislature. Shag stated that it was all for Butte-Silver Bow and unfortunately there is community jealousy. They are not going to go for it.

Bob Worley made a suggestion if they are going to do that type of research they have an attorney on board that will know where to find that information. Wayne stated that he would not do any research for the board as it is against the bylaws. BSB has an attorney under the charter. Bob McCarthy is the only attorney they can have. Wayne voted against the deal because BSB public is not going to vote whether or not Lewis and Clark County or Great Falls, Cascade or anyone else should have local option. They are going to vote "sure" if they think it is great for BSB. Bob Worley stated that he felt they are going beyond their scope and they need to stay focused on their issues. Bob Worley felt that they should not approach this subject. However, Bob told Shag that if he wanted to make a motion, he is more than welcome to do that and Shag replied so moved. His first motion was that within the survey they ask if BSB will support 2 mill levies for cultural activities. Wayne seconded the motion. Dave asked who would distribute the two mills? Shag replied that would be up to the Board of County Commissioners. Meg stated when she was on board at the Art Chateau there was one mill on the books for the arts but it was never allocated. They kept trying to get it. Bob asked who was in favor of adding Shag's question to the survey. Four opposed and four favored. Bob Worley opposed.

Shag's second motion was to add the question, which asked for local option casino type gambling, to the survey. Bob Worley asked Shag to define casino type gambling. Shag replied Las Vegas style gambling. Northey seconded the motion. Dave did not feel it was worth putting on survey because it is illegal. Shag replied that it has not been determined illegal at this time and that it is a non-issue. Dave replied that you have to get legislature involved. Shag stated that is the first step and what is done is you go to legislature and get a yeah or nay on it. Then like any other piece of legislation that is controversial, it goes to District then the Supreme Court. It will decide yeah or nay too. That is the procedure. It is a three-step operation. Bob Worley asked if there was anything else on the question and took a vote for all in favor. One was in favor and six opposed.

Shag stated he had one more item for the survey. Shag stated that probably the most important problem they have to tackle is whether the Department Head serves at the pleasure of the Chief Executive, Paul Babb. Shag stated that he was talking to Bob McCarthy the other day. Many of the Department Heads go back to Peoples era and have been in 20-25 years. They have built a tenure that they cannot be removed, for example (Johnston). So Bob McCarthy says, "ok" they are going to contract. So the Director of Department of Public Works gets a three-year contract and a salary. He does his job and gets paid for it. At the end of the contract, there is no tenure

built-up; it is piecework. After 3 years, put it out for bid and continue to contract. The termination date would be the end of the term of the Chief Executive. If the Chief Executive is elected for another term there would be new contracts offered. If a new Chief Executive was elected then he would have the function of letting out the contracts. That way there is no tenure built-up. In the event of a dispute, it would go to arbitration either State or Federal depending on the jurisdiction. If they settle on the guy's contract, suppose he asks for \$100,000 and the arbitration guy say \$50,000, BSB owes XYZ \$50,000. Shag motioned for the question, all non-elected department heads will be contracted employees, be added to the survey. Dave replied that it sounded like a good solution. Wayne stated that it is personally a horrible idea and would end up with the Danette Gleason situation. She was offered Mike Shea's job and she replied why for \$1,300.00 more? Four years from now, if Babb does not get re-elected I am out the door. She would lose tenure and has worked for the county for 15-20 years. She gets promoted to Director and then she is out the door. It is not that she would get demoted and continue to work for the county. She would be out the door. Wayne commented that what the Supreme Court is going to say which is, Paul Babb, you should have said Jim Johnston, you have room to go work for this guy; not your gone. Why would any good person do it unless they have the desire to help their party, which they are non-partisan allegedly or they're out of work. Tony replied that he could give the same example on State and Federal government. People who take over these departments use it as stepping stone. If you were the Director for Department of Interior, after four-years, you know you are going to be replaced. Then you are going to go out into a private market and say I was the Director of the Department of Interior. That is the same thing that happens on the local level when you have an appointed Public Works Director. After his four years, they know they have the option of being replaced. The next time, they go to a Public Works Director in Billings, Minneapolis or move up the ladder. When people are in these jobs, they are not looking for security and if they are, they need to join the union. Wayne disagreed. Northey agreed with Wayne and stated that BSB would be eliminating the quality of people that would be applying for that job. Wayne asked where would the Public Works Director going to get his next job in Butte? With Smith Construction? There is no moving up in Butte. Tony replied that you don't come out of college and go straight to a top CEO job either. You might start as an Assistant Director and move up from there. Tony stated that one would use it as experience on a smaller level. Northey replied that can be done but for people that have experience in Butte. People who are qualified and don't want to be moving on elsewhere. BSB will lose those people. Bob Worley commented that they would do the same thing to Rob Maceroski if they put someone like that in. He has done a great job with the Land Department and BSB may not get someone like him to do that again or get him to do that if they had to serve by contract. Wayne commented in jobs like that, and he has spoken with the people in Missoula who have a City Manager, they could care less what that person says because they know four years from now that person is not going to be there. There would be a loss of respect because they know that person will only be there for four years.

Bob stated that there was a motion on the floor and a second to add that question to the survey, BSB appointed Department Heads work by contract designated to when the Chief Executive leaves office. Bob Worley asked who favored adding this question to the survey. Four favored and three opposed. Bob Worley opposed.

Date for next meeting: July 21, 2005

Discussion of Guest Speakers for July 21, 2005: Bob Worley asked Jennifer Rozinka to make sure Ron Rowling receives a copy of the guest speakers: Mark Reavis, Linda Sajor-Joyce, J.R. Richardson and Chuck Uggetti. Bob stated if there was anybody else out there, other then other

governments, to let Bob know. If they want to talk to those governments, they can do a video or conference call.

Tony asked about inviting Gene Vuckovich. Bob Worley suggested speaking with people that are at least as large or larger than Butte. Bob Worley mentioned if there was anyone else in the private sector or government that they need to talk to again to let him know. Shag Miller replied that there are two important people that should be invited and that is People's and Jack Lynch based on their experience.

Shag moved and Wayne seconded to adjourn.